IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 24434 of 2004

Between:

1. P.Janardhan, S/o.P.Appayya, Technical Assistant Gr-I, District Office

Food Corporation of India, Warangal

2. B.Vishwanadham, S/o.B.Radhakrishnaiah, Technical Assistant Grade-I, District Office, Food Corporation of India, Warangal

3. M.Upender Rao, S/o.M.Rama Rao, Technical Assistant Grade-I, Food Corporation of India, District Officer, F.C.I, Karimnagar

4. Mohd.Samsamul Haq, S/o.Md.Sharful Haq, Technical Assistant, Grade-I, District Office, Food Corporation of India, Karimnagar

5. B.Murali S/o.Lakshminarasaiah, Technical Assistant, Grade-I, District Office, Food Corporation of India, Karimnagar

6. Paka Satyanarayana, S/o.Balaiah, Technical Assistant Grade-I, District Office, Food Corporation of India, Karimnagar

7. K.Devarajam, S/o.Sivarajam, Technical Assistant Grade-I, District Office, Food Corporation of India, Karimnagar

8. Pavirala Satyanarayana, S/o.Achaiah, Technical Assistant, Grade-I, District Office, Food Corporation of India, West Godavari District

9. P.Kesavaraju, S/o.Chitti Raju, Technical Assistant Grade-I, District Office, Food Corporation of India, West Godavari District

10. B.Wilson, S/o.Yesaiah, Technical Assistant Grade-I, District Office,

Food Corporation of India, Krishna District

11. C.Ramachandra Rao, S/o.Venkata Ratnam, Technical Assistant, Grade-I, District Office, Food Corporation of India, Krishna District

12. N.Yesuprasad, Technical Assistant Grade-I, District Office, Food Corporation of India, Krishna District

13. A.Jaffar Hussain, S/o.A.Basha, Technical Assistant, Grade-I, District Office, Food Corporation of India, Tarnaka, Hyderabad

14. K.Sanyasi Rao, S/o.Kothulu, Technical Assistant, Grade-I, District Office, Food Corporation of India,. Kakinada, E.G.District

15. K.Sudhakar Rao, S/o.Krishna Murthy, Technical Assistant, Grade-I, District Office, Food Corporation of India, Kakinada, East Godavari District

16. Md.Fasiuddin, S/o.Md.Tajuddin, Technical Assistant, Grade-I, District Office, Food Corporation of India, Nizamabad

17.

..... PETITIONERS

AND

1. The Zonal Manager, Food Corporation of India, Sastri Bhavan Opp:Haddows Road, Chennai

2. Senior Regional Manager, Regional Office, Food Corporation of India, 3rd floor, HACA Bhavan, Opp: Public Gardens, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus directing the respondents to consider the case of the petitioners for regularization of their services as Assistant Managers (Technical) w.e.f the date of their initial appointment i.e. 10-12-2001 and 20-10-2002, by holding and declaring that the petitioners are entitled for promotion as Assistant Manager (Technical) w.e.f the date of their initial appointment with all the consequential benefits such as seniority etc.,

Counsel for the Petitioner:MR.P.V.SUBRAHMANYA SARMA

Counsel for the Respondent Nos.1&2: SMT.CH.LAXMI KUMARI, STANDING COUNSEL FOR FCI.

The Court at the stage of admission, made the following :

ORDER:

This writ petition is filed by the petitioner to issue a writ of mandamus directing the respondents to consider their case for regularization of their services as Assistant Managers (Technical) with effect from the date of their initial appointment by holding and declaring that the petitioners are entitled for promotion as Assistant Managers (Technical) with all the consequential benefits.

The learned counsel for the petitioners contended that the case of the petitioners has not been considered for promotion as Assistant Managers (Technical) and that the respondents reverted them for want of vacancy and therefore this writ petition.

The learned Standing Counsel appearing for the respondents, on the other hand, contended that there is a quota fixed for the promotees and no vacancies are available at present for giving promotions to the promotees. The promotion to the post of Assistant Manager (Technical) is only on ad-hoc basis.

It is for the respondents to consider as per the Service Rules governing the service Conditions of the employees whether to give promotion to the petitioners as Assistant Manager (Technical) or not.

Therefore, appropriate decision has to be taken by the respondents in accordance with the Rules.

The writ petition is accordingly disposed of. No costs.

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29.12.2004

NOTE: Office to furnish C.C by three days

(B.O)

bsv

To

1. The Zonal Manager, Food Corporation of India, Sastri Bhavan
   Opp:Haddows Road, Chennai

2. The Senior Regional Manager, Regional Office, Food Corporation of India,
   3rd floor, HACA Bhavan, Opp: Public Gardens, Hyderabad

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